

Applicant : Robert J. Crowley, et al.  
Appl. No. : 10/020,040  
Examiner : Patrick J. Connolly  
Docket No. : 701470.21

### Remarks

Claims 1, 4-6, 8-20, 22-25, and 27-37 are currently pending, of which claims 1, 28, and 32 are independent. The applicants acknowledge the examiner's allowance of claims 28-37 with appreciation. Claims 41-49 have been added, which are claims 16-20 and 22-25 rewritten in allowable form in accordance with the examiner's comments. No other amendments have been made.

### Rejections under 35 USC § 103

As to claim 1, the examiner rejected claim 1 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,843,145 to Tenhoff, and further in view of U.S. Patent No. 5,321,501 to Swanson et al. However, Applicants respectfully disagree. As stated in a previous response, in the present invention, multi-element photo-detectors are configured to detect the light intensity of an interference pattern resulting from the combination of a sample light beam and a reference light beam. Page 13, para. 44. Neither Swanson nor Tenhoff, either by themselves or in combination, teach, suggest, or motivate configuring a multi-element photo detector to detect the light intensity of an interference pattern.

Accordingly, independent claim 1 is patentable over the cited references, in combination or separately, as are the corresponding dependent claims, 4-6, 8-20, 22-25, and 27.

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### Conclusion

Prompt and favorable action on the merits of the claims is earnestly solicited. Should the Examiner have any questions or comments, the undersigned can be reached at (949) 949-852-7745.

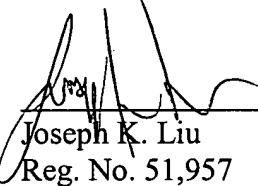
The Commissioner is authorized to charge any fee which may be required in connection with this Amendment to Deposit Account No. 15-0665.

Respectfully submitted,

ORRICK, HERRINGTON & SUTCLIFFE LLP

Dated: August 12, 2004

By: \_\_\_\_\_

  
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